

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail No. 6502/2018

1. Lekhram S/o Gitori B/c Balai, Aged About 23 Years, R/o Hasanpur, Police Station Laxmangarh, Distt. Alwar (Raj.) (At Present Confined In Distt. Jail, Alwar)
2. Rakesh S/o Phool Singh B/c Balai, Aged About 20 Years, R/o Hasanpur, Police Station Laxmangarh, Distt. Alwar (Raj.) (At Present Confined In Distt. Jail, Alwar)
3. Phool Singh S/o Ghisyaram B/c Balai, Aged About 50 Years, R/o Hasanpur, Police Station Laxmangarh, Distt. Alwar (Raj.) (At Present Confined In Distt. Jail, Alwar)

----Petitioners

Versus

State Of Rajasthan Through P.p.

----Respondent

For Petitioner(s)	:	None Present
For Respondent(s)	:	None Present

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Order

31/05/2018

1. In "Ex-Capt. Harish Uppal versus Union of India and Anr. 2003 (2) SCC 45, Apex Court has held that lawyers have no right to go on strike or to give a call for boycott of Courts. Calls given by Bar Association or Bar Council for such purpose cannot require the Court to adjourn the matters. In "Krishnakant Tamrakar Versus The State of Madhya Pradesh" decided by the Apex Court on 28.3.2018. The Apex Court has held that strike by advocates is in violation of law laid down by the Apex Court and the same tantamounts to contempt. The Apex Court has further held that the office bearers are liable to be removed from

the office for passing resolution for strike. In view of the judgment of Apex Court in Ex.Captain Harish Uppal Vs. Union of India and "Krishnakant Tamrakar Versus The State of Madhya Pradesh", since the advocates are abstaining from work since 21.5.2018, this Court deems it proper to pass order on merits.

2. Petitioners have filed this bail application under Section 439 of Cr.P.C.

3. F.I.R. No. 01/2018 was registered at Police Station Laxmangarh, District Alwar for offence under Sections 147, 148, 323, 324, 302 of I.P.C.

4. I have perused the record.

5. From perusal of the record, it is revealed that the allegation of causing fatal injury to the deceased is on Hemraj and Lokesh. Co-accused have been given benefit of bail by this Court, hence, I deem it proper to allow the bail application.

6. This bail application is accordingly allowed and it is directed that accused petitioners shall be released on bail provided each of them furnish a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the learned trial court with the stipulation that they shall appear before that Court and any court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

(PANKAJ BHANDARI),J